

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** By **CHAIRMAN JESSE LASLOVICH**, on February 20, 2007  
at 8:00 A.M., in Room 303 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Jesse Laslovich, Chairman (D)  
Sen. Larry Jent (D)  
Sen. Carol C. Juneau (D)  
Sen. Dan McGee (R)  
Sen. Lynda Moss (D)  
Sen. Jerry O'Neil (R)  
Sen. Gerald Pease (D)  
Sen. Gary L. Perry (R)  
Sen. Jim Shockley (R)  
Sen. David E. Wanzonried (D)

##### **Members Excused:**

Sen. Carol Williams (D)  
Sen. Aubyn Curtiss (R)

**Members Absent:** None.

**Staff Present:** Carol Andersen, Committee Secretary  
Valencia Lane, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 454, 2/15/2007; SB 482,  
2/15/2007; SB 471, 2/15/2007; SB  
435, 2/15/2007; SB 486, 2/15/2007  
Executive Action: None.

**HEARING ON SB 454**

**Opening Statement by Sponsor:**

00:01:52 SEN. CAROL JUNEAU (D), SD 8, opened the hearing on SB 454, Revise & change penalties for hate crimes.

[EXHIBIT\(jus38a01\)](#)

[EXHIBIT\(jus38a02\)](#)

[EXHIBIT\(jus38a03\)](#)

[EXHIBIT\(jus38a04\)](#)

**Proponents:**

00:10:05 Rep. Norma Bixby

00:14:22 Rep. Teresa Henry, Women's Caucus

00:14:50 Debra Wolfe

00:17:36 June Hermanson, Disability Action Alliance of Montana

00:19:42 Wilmot Collins

00:22:08 Bernadette Franks/Ongoy

00:32:46 Eve Malo, Murder Victim Families

00:37:49 Margaret Campbell, HD 31

00:38:30 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

[EXHIBIT\(jus38a05\)](#)

00:40:15 Beth Brenneman, Montana Advocacy Program

00:42:28 Linda Gryczan, Montana Women's Lobbyist

[EXHIBIT\(jus38a06\)](#)

00:43:01 Wade Sikorski

00:43:21 Travis McAdam, Montana Human Rights Network (MHRN)

**Opponents:**

00:43:51 Patti Kanduch, Concerned Women for America

**EXHIBIT(jus38a07)**

00:46:40 Jeanette Zentgraf, Concerned Women for America

**EXHIBIT(jus38a08)**

00:51:16 Dallas Erickson, Montana Citizens through Decency Laws

**EXHIBIT(jus38a09)**

00:56:56 William Smith

00:58:34 Mike Kecskes

**EXHIBIT(jus38a10)**

01:01:25 Lynn Stumberg, Eagle Forum

01:03:11 Rachael Roberts, Montana Family Foundation

**Informational Testimony:**

01:06:21 Sally Hilander, Department of Corrections

**Questions from Committee Members and Responses:**

01:09:28 Sen. McGee to Sen. Juneau

**EXHIBIT(jus38a11)**

01:13:15 Sen. Shockley to Sen. Juneau

01:14:07 Sen. O'Neil to Sen. Juneau

01:15:50 Sen. O'Neil to Travis McAdam

01:19:20 Sen. Curtiss to Sen. Juneau

01:20:15 Sen. Moss to Sen. Juneau

01:22:14 Sen. Moss to Sally Hilander

**Closing by Sponsor:**

01:22:59 Sen. Juneau

**HEARING ON SB 482**

**Opening Statement by Sponsor:**

01:26:46 SEN. JEFF ESSMANN (R), SD 28, opened the hearing on SB 482, Geographical restrictions for certain sex offenders.

[EXHIBIT\(jus38a12\)](#)

[EXHIBIT\(jus38a13\)](#)

[EXHIBIT\(jus38a14\)](#)

[EXHIBIT\(jus38a15\)](#)

[EXHIBIT\(jus38a16\)](#)

[EXHIBIT\(jus38a17\)](#)

**Proponents:**

01:42:27 Dave Staton

01:49:26 Derek VonLechene, Ryan United

[EXHIBIT\(jus38a18\)](#)

**Opponents:**

01:57:06 Ali Bovington, Office of the Attorney General,  
Department of Justice (DOJ)

[EXHIBIT\(jus38a19\)](#)

**Informational Testimony:**

02:03:13 Pam Bunke, Department of Corrections

[EXHIBIT\(jus38a20\)](#)

**Questions from Committee Members and Responses:**

02:05:49 Sen. McGee to Pam Bunke

02:06:04 Sen. McGee to Sen. Essmann

02:07:50 Sen. McGee to Dave Staton

02:08:34 Sen. McGee to Sen. Essmann

02:10:35 Sen. McGee to Pam Bunke

02:11:22 Sen. McGee to David Carter, Deputy County Attorney,  
Yellowstone County

02:16:12 Sen. Shockley to David Carter

02:19:52 Sen. Laslovich to Pam Bunke

**Closing by Sponsor:**

02:23:36 Sen. Essmann

**HEARING ON SB 471**

**Opening Statement by Sponsor:**

02:26:52 SEN. VERDELL JACKSON (R), SD 5, opened the hearing on  
SB 471, Revise laws related to power generation water  
rights.

[EXHIBIT\(jus38a21\)](#)

[EXHIBIT\(jus38a22\)](#)

**Proponents:**

02:43:27 Douglas Grob

**Opponents:**

02:50:13 Blair Strong, Avista Corporation

03:03:58 Holly Franz, PPL Montana

[EXHIBIT\(jus38a23\)](#)

03:04:31 Mike Murphy, Montana Water Rights Association

03:05:05 John Youngberg, Montana State Farm Bureau

03:05:19 Don Allen, Western Environmental Trade Association

03:05:35 Mark Aagenes, Montana Trout Unlimited

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

03:05:59 Sen. O'Neil to Blair Strong

03:14:46 Sen. Shockley to Sen. Jackson

03:15:23 Sen. Moss to Sen. Jackson

03:21:51 Sen. O'Neil to Blair Strong

[EXHIBIT\(jus38a24\)](#)

03:23:13 Sen. McGee to John Bloomquist

**Closing by Sponsor:**

03:25:06 Sen. Jackson

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**HEARING ON SB 435**

**Opening Statement by Sponsor:**

03:28:21 SEN. VERDELL JACKSON (R), SD 5, opened the hearing on  
SB 435, Subordinate power generation water rights.

[EXHIBIT\(jus38a25\)](#)

[EXHIBIT\(jus38a26\)](#)

**Proponents:**

03:45:08 Douglas Grob

**Opponents:**

03:47:03 Holly Franz, PPL Montana

[EXHIBIT\(jus38a27\)](#)

03:49:06 John Youngberg, Montana State Farm Bureau

03:50:32 Mike Murphy, Montana Water Rights Association

03:51:21 Tom Ebzery, PacifiCorp

03:51:43 Mark Aagenes, Montana Trout Unlimited

03:51:58 Don Allen, Western Environmental Trade Association

03:52:21 Blair Strong, Avista Corporation

[EXHIBIT\(jus38a28\)](#)

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

03:54:05 Sen. Jackson

**HEARING ON SB 486**

**Opening Statement by Sponsor:**

03:58:01 SEN. JIM SHOCKLEY (R), SD 45, opened the hearing on SB 486, Revise aggravated assault law.

**Proponents:**

04:00:12 Judy Wang, Assistant City Attorney, Missoula

**EXHIBIT(jus38a29)**

04:03:21 Mike Brady, Detective, Missoula Police Department

04:04:08 David Carter, Yellowstone County Attorney's Office

04:05:12 Ali Bovingdon, Attorney General's Office

04:05:58 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

**Opponents:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

04:06:57 Sen. McGee to Sen. Shockley

04:09:00 Sen. Williams

**Closing by Sponsor:**

04:09:14 Sen. Shockley

**ADJOURNMENT**

Adjournment: 12:05 P.M.

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SEN. JESSE LASLOVICH, Chairman

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CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

**EXHIBIT ([jus38aad.pdf](#))**